

Community Culture Action Area Historic Preservation

Existing Comprehensive Plan Goal and Policies

There is one goal and five policies related to historic resources in the existing comprehensive plan.

People, Places and Prosperity (show nested diagram)

- **People:** Preserves unique community heritage, culture, sense of civic pride

- **Places:** Identifies buildings with unique structures and historic attributes; adaptive reuse and careful demolition conserve resources

- **Prosperity:** Supports neighborhood revitalization, “main street” type redevelopment, historic tourism, visitors and education

Introduction

This document provides a basic framework for understanding historic resources in the City of Lake Oswego. It outlines the City’s role in historic preservation, describes the different types of resources and summarizes existing historic resource regulations, incentives, programs and policies that constitute the City’s preservation program.

The purpose of this paper is to provide the background information needed by the community to develop a decision-making framework for the City’s Historic Resources and Preservation program for the next 20 years. The report assesses the existing conditions and changes in this program, since the City’s Comprehensive plan was adopted in 1994. It identifies questions and changes that need to be considered in order to sustain the community, economy and environment for generations to come. The paper analyzes the existing goals policies and recommended action measures for the Historic and Cultural Resources section of the Comprehensive Plan. This review helps identify questions and potential changes for consideration during the Comprehensive Plan update process. Finally, the report suggests how the City might track future progress toward achieving its goals and meeting community, regional and statewide needs for a sustainable future.

Statewide Planning Goal

The City’s preservation program was developed in response to Statewide Planning Goal 5 - Natural Resources, Scenic and Historic Areas, and Open Spaces.

Statewide Planning Goal 5 requires communities to provide programs that will: 1) ensure open space; 2) protect scenic, historic and natural resources for future generations; and 3) promote healthy and attractive environments in harmony with the natural landscape character. Goal 5 also provides for communities to inventory historic and cultural resources. The inventory describes the location, quality

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and quantity of these resources, and identifies conflicting uses. Where no conflicting uses are identified, resources must be managed in order to preserve their original character. Where conflicting uses are identified, the economic, social, environmental and energy (ESEE) consequences must be determined and programs developed to achieve the goal.

The historic and cultural resource section of Goal 5 requires communities to inventory historic and cultural resources and helps the City and the State Historic Preservation Office (SHPO) to comply with the National Historic Preservation Act of 1966 (NHPA). This requires the State Historic Preservation Officer to survey and inventory cultural resources throughout the State and with State land use law, which requires local jurisdictions to identify and protect significant resources.

The City began the inventory of historic sites and structures in 1976 with the City's Physical Resources.

Background

Lake Oswego has a rich history reaching back hundreds of years. The cultural resources reflect evolving chapters in the community's history. Preservation of these resources help create an awareness or foster a community sense of identity, encourage public knowledge, promote enjoyment and use and strengthen the economy with resources for the public to enjoy.

These resources are woven into Lake Oswego's historical and architectural fabric. From simple worker cottages to elegant lakefront dwellings and from the historic peg tree, the site of early town meetings, to the Iron furnace, the first Iron smelter on the west coast, Lake Oswego's cultural and historic resources play an important part in shaping the character of the community today. The community recognizes the importance of these resources in preserving the City's identity.

The City initiated its inventory process in 1976 with the Lake Oswego Physical Resource Inventory (LOPRI). The LOPRI identified 47 structures and identified seven as significant but no protection program was enacted. In 1988/89, the City conducted a more extensive inventory of historic resources. Approximately 200 structures were inventoried and 93 were found to be significant. In 1990, the City adopted the Historic Preservation Ordinance (Ordinance 2000) which protected the significant resources and established the review process. The ordinance was revised in 1994 to clarify the role of the Historic Review Commission, now Historic Resources Advisory Board (HRAB).

Historic Resources Advisory Board

Ordinance 2000, adopted in 1990, provides code authority for the seven-member Historic Resources Advisory Board discussed below. The HRAB meets each month to promote and foster the historic, educational, architectural, cultural, economic, and general welfare of the public through the identification, preservation, restoration, and protection of those structures, sites, objects, and districts of historic and cultural interest within the City. It provides leadership and expertise on maintaining and enhancing Lake Oswego's historic and architectural heritage. The Board identifies and protects buildings and other properties that have historic or cultural significance or special architectural merit.

It also provides advice and decision making on historic preservation matters and coordinates historic preservation programs in the City.

The City became a Certified Local Government in October, 2008. As a “Certified Local Government” (CLG), the City participates in a preservation partnership with the Oregon State Historic Preservation Office (SHPO) and the National Park Service (NPS). In return for taking on certain responsibilities such as reviewing proposed alterations to historic properties, CLG’s receive benefits, including a close working relationship with the SHPO, additional authority and responsibility regarding nominations to the National Register of Historic Places and eligibility for matching grants from the State’s apportionment of federal preservation funding.¹

To be “certified,” Lake Oswego must maintain certain qualifications, which, together broadly define the City’s preservation program including:

- Maintaining a historic preservation commission; Historic Resources Advisory Board (HRAB). The makeup of this body must include members that meet the professional qualifications such as history, architecture architectural history, archeology and related fields.
- Administering the preservation ordinance in Lake Oswego’s Zoning code that defines how historic preservation issues are addressed including historic design review procedures, local historic landmark and district designation processes and review of demolition proposals.
- Participating in updating and expanding the state’s historic building inventory program.
- Reviewing and commenting on National Register of Historic Places nominations of properties within Portland’s boundaries.
- Fulfilling obligations to enforce state and federal preservation laws.

The City has used CLG matching grants from the state to support a number of preservation related projects. Examples from past years include:

- Preparation of a context statement and planning document for the City’s Iron Industry that will support the preservation and provide educational opportunities for Oswego’s Iron Industry.
- Preparation of a context statement and planning document for the City’s Mid Century, a look at Lake Oswego’s Modern Developments.
- Intensive Level Surveys of Properties related to Lake Oswego’s Iron Industry and Mid-century Development eras.
- Designation of various historic resources on the National Register of Historic Places.

¹ Oregon State Historic Preservation Office

- Participating in updating and expanding the state’s historic inventory building program.

Historic Resources in the City of Lake Oswego

There several ways in which historic resources can be classified or designated. They range from being listed in the local inventory of potentially significant properties to being designated as a national Historic Landmark by the US Department of the Interior. A resource can carry more than one official classification or designation. Generally the highest level of designation determines which rules and benefits apply. It is important to understand that different types of designation show they are applied and what the different benefits and responsibilities.

Historic designations used by the City of Lake Oswego for individual historic resources are described below. The City does not have any officially designated historic or conservation districts.

Properties Listed in the Cultural Resources inventory (CRI): In 1989, the City of Lake Oswego completed a Citywide inventory of more than 160 properties determined to have potential historical and architectural significance. The inventory was undertaken to support development of the City’s Comprehensive Plan and to comply with the Statewide Planning Goals.

Since 2008, intensive surveys were conducted for 40 additional properties and were included on the inventory bringing it to over 200 properties inventoried. The inventories are not adopted. Being listed in the CRI is not a true historic “designation”. Additional documentation, evaluation and a public review process is generally required before a property is designated on the City’s Landmark Designation List (LDL). Many properties on this list are not designated because they have been altered and are no longer architecturally significant. In other cases, property owners do not wish to have the additional regulatory burden associated with designation and do not wish to have their properties on the City’s LDL.

Since 1996, three properties have been added to the City’s Landmark Designation List, and 24 historic resources have been removed from the City’s Landmark Designation List (LDL). Of these 24 historic resources, seven have been demolished.

Local, state or federal incentives are not available for preservation of these resources unless the historic resource has a higher listing on the Landmark Designation List (LDL). While the CRI is more than 20 years old, it remains a useful planning and preservation research tool.

Local Historic Landmarks: Historic Landmarks are individual resources such as buildings, sites, trees, statues, or other objects that are significant for their historical cultural, archeological or architectural merit on the City’s Landmark Designation List (LDL). They have one or more characteristic with statewide or national significance. These range from modest single-family homes to parks and artifacts related to Lake Oswego’s Iron Industry.

Local or City landmarks: These are individual resources that have been locally designated by the City of Lake Oswego because of their historic, cultural or archeological or architectural significance and for their role in creating Lake Oswego’s character. There are 73 properties on the City’s historic landmark list. The Criteria for designation is found in LOC Chapter 58 and the land use process for designation is described in LOC 50.79 of Lake Oswego’s zoning code.

National Register Properties: These are individual resources that have been listed in the National Register of Historic Places. The National Register is used by federal, state, and local governments, private groups and citizens to identify the nation’s most significant historic resources. These resources are significant in American History at the local state or national level. The actual register (or list of properties) is maintained by the “Keeper of the National Register of Historic Places of the National Park Service” in Washington DC. The program is administered by the State Historic Preservation Office (SHPO) in each state. Oregon’s State Historic Preservation Office receives comments on new National Register applications in Lake Oswego from the Historic Resources Advisory Board.

National Historic Landmarks are National Register properties that have been recognized by the Secretary of the Interior as possessing exceptional value or quality in illustrating or interpreting the history of the United States. They may be individual resources such as buildings, multiple property listings or entire districts. Because they are also listed on the National Register, they are listed as such by the Lake Oswego Zoning Code.

There are 13 Historic Properties within the City limits designated on the National Register.

Publicly Owned Resources and Partnerships

Historic resources owned by the City require public funding for their maintenance and upkeep. The City owns two historic structures, the Iron Furnace located in George Rogers Park and the Workers’ Cottage located on 40 Wilbur Street.

Iron Furnace

Taking advantage of Oswego’s iron deposits, the Oregon Iron Company became the first to manufacture iron on the West Coast. The Oswego iron industry was Oregon’s biggest manufacturing enterprise in the nineteenth century. Of four iron furnaces built west of the Rocky Mountains, Oregon’s was the most successful, surviving 18 years longer and producing nearly four times as much iron as its closest competitor. After abandonment in 1885, the furnace’s masonry stack was left to endure the elements without any protection. Today, the stone furnace is the only surviving iron furnace west of the Rocky Mountains. Rehabilitation of the furnace was completed in 2009. The Iron Furnace is on the National Register of Historic Places².

² Stuart (Churchward), Patience “Oswego’s Iron Industry: A Historical Look at the Iron Industry and Related Developments in Lake Oswego, Oregon”; Fulton, Anne “Iron Wood and Water: An Illustrated History of Lake Oswego”.

Iron Workers' Cottage

The Oregon Iron & Steel company constructed the vernacular, two room Iron Workers' Cottage in ca. 1882 to house company workers. The Iron Workers' Cottage is located in Lake Oswego's Old Town at 40 Wilbur Street. The house was designated as a City landmark in 1989 and then added to the National Register of Historic Places in 2009. The City of Lake Oswego purchased the Iron Workers' Cottage in 2002, thus saving one of the few remaining examples of factory-worker company housing constructed during the 1880's in Oregon. The City of Lake Oswego and the Historic Resource Advisory Board are restoring and preserving the Iron Workers' Cottage for future generations.

Luscher Farm

Luscher Farm was originally part of the Jesse and Nancy Bullock Donation Land Claim (1866). The Luscher Farm was located at the junction of two old and important market roads, Rosemont and Stafford which were in use from the mid 1800's. Farmers used these routes to transport produce from the Stafford area and beyond to Portland and Oregon City. The City of Lake Oswego purchased the 47.71 acres in February 1991 under a life estate agreement with Rudie Luscher who died in the spring of 1997.

The adjacent properties were acquired through the 1990's to complete the "farm." In May 1993 the 7.49-acre Taylor property was purchased, in July 1994 the 8.23-acre Farr property was added, and in June 1996 9.82-acre Rassekh property was purchased .

In December, 1994 the City Council adopted the Luscher Farm "Opportunities and Constraints Study," which recommended the 23 acre farm site be designated as a County Historic Preserve and possibly placed on the National Register of Historic Places. The Site is currently on the list of Clackamas County Historic Landmarks but not on the National Register. The study added that the remainder of the property be considered for a mix of active and passive recreation and natural resource uses such as team sports fields hiking trails, picnicking, astronomy viewing areas etc.

In July 1997, the City Council adopted a master plan for Luscher Farm. With regards to historic resources the objective was to maintain and enhance the cultural and historic integrity of a mid 20th century farm as a community resource for education and leisure opportunities. The master plan proposed the following improvements:

- A short and long term plan is proposed for all buildings within the historic area.
- Existing amenities including the orchard, community gardens and existing trees are intended to be preserved and enhanced.
- Two flexible community event spaces are proposed. These spaces are intended to accommodate special events, display animals concerts etc.,

- The existing large open space west of the barn will be maintained to preserve views to and from the farm.

Demolition of a historically insignificant and badly deteriorated attachment to the barn occurred in 1998 and complete rehabilitation of the barn occurred in 1999.

Trueblood House

The Trueblood House was purchased by the City as a part of the Glenmorrie Greenway between Highway 43 and the Old River Road pathway and then purchased from the City in July of 2006. Under the land sale agreement, the applicants were required to rehabilitate the interior and exterior of the dwelling to meet the Secretary of Interior's Standards for Rehabilitation. In a partnership with the property owner and the City, the house has been successfully rehabilitated.

Richard Sundeleaf Buildings

The Richard Sundeleaf-designed building which now houses Starbucks at 47 North State Street, while not a City landmark, it is an iconic building to generations of Lake Oswego residents. It is one of the buildings that helps define our City, and is recognized by residents and travelers on Highway 43 as an icon of the "Lake Oswego style." This building and the buildings immediately north of the Starbucks on State Street (from the former Hollywood Video store northward through the Wanfu Restaurant which is located at 141 N. State Street) along with the Lake Twin Theater and restaurant across State Street were all designed by Richard Sundeleaf. Together, these buildings along both sides of State Street form a distinctive corridor that has been recognized by generations of Lake Oswegans. At a time when change and redevelopment is common, those buildings stand as reminders of Lake Oswego's past. The Starbucks building at 47 North State Street originally housed the offices of Paul F. Murphy. Paul F. Murphy was the son of Paul C. Murphy of the Ladd Estate Company. Paul F. Murphy built the Sundeleaf-designed office on North State Street in the 1940's and used it as a Murphy Real Estate office³.

Historic Context Statements

In 2010, The City of Lake Oswego prepared two context statements that cover the iron industry from 1865 to 1928 and Lake Oswego's modern period from 1935 to 1965.

A context statement⁴ is a structured framework for organizing information about cultural resources based on a shared theme, period or geographical area. Historic contexts represent patterns or trends in history characterized by specific occurrences in social events, property types or places.

Documentation of these historic patterns provides a valuable tool for identifying related historic

³ Oregon's Iron Dream. Portland, Oregon: Binforde & Mort, 1958. Lake Oswego Volunteers, eds. In Their Own Words. Lake Oswego, Oregon: City of Lake Oswego

⁴ Ibid.

properties and for developing long range planning goals and objectives. Historic contexts are often represented by extant resources in an area that express the broad patterns of development that occurred within the given context. The National Parks Service views context statements as one of the most important steps when undertaking any type of long term preservation planning, because it is when the larger picture of the community's history that local significance becomes apparent.

Oswego's Iron History Context Statement

The Iron Industry context statement will aid the City in identifying historic resources associated with the City's local iron industrial heritage from 1865 to 1928. The iron industry holds a significant role in Lake Oswego's settlement and development history. Understanding the significance is paramount to preserving and sharing the community's industrial heritage. In addition to the iron furnace, there is a complex network of other resources that further represent and define the context of Lake Oswego's celebrated Iron heritage. The identification and preservation of these resources is vital to understanding the importance of the City's historic iron industry and for sharing this history through educational recreational and tourism activities.

Modern Period Context Statement

The context statement documenting the City's modern period will help identify the broad patterns of events that helped shape Lake Oswego. These include various resources from the mid-century modern period, their most common architectural styles, and the architects and builders who designed and constructed these buildings.

Mid Century (homes that are greater than 50 years old) are considered historic. These homes may not fit the traditional role of what we normally associate with historic properties. Many people may not accept the designation of properties that were constructed during this area. Future development pressure will likely result in the demolition of many of these structures.

Issues and Challenges

Historic Designation Removal

In 1995, the Oregon State Legislature passed the "Owner Consent" bill (SB 588); ORS 197.772.3. This law states that "A local government shall allow a property owner to remove from the property a historic property designation that was *imposed* on the property by the local government".

The owner consent law resulted in the removal of a large number of historic resources. Between 1995 and 2001, 24 resources were removed from the Landmark Designation List. Many of these property owners no longer wished to remain on the list because they wanted to redevelop the property, or modernize the structure. These property owners were concerned that being on the list subjected their property to an additional layer of zoning and design requirements and limited development flexibility.

Many of these properties were altered beyond what the design standards would allow or have been demolished entirely.

Currently, the owner of a historic property must file a land use application to remove a property from the City's Landmark Designation List. They must meet the Criteria to Remove a Designation found under LOC 50.82.095 (Historic Preservation) and follow the procedure under LOC 50.81 to file a minor development application. In order to recommend approval for a demolition the review authority must find:

- That the resource is no longer historic or architecturally significant; and,
- Through an ESEE analysis it must be determined that the benefits of removing the designation outweigh the benefits of retaining the properties landmark status.

In addressing these criteria several factors must include consideration of the historic architectural and environmental significance of the resource.

Demolition and Demolition by Neglect

Demolitions

Since 1996, 24 historic resources have been removed from the City's Landmark Designation List (LDL). Of these houses, seven have been demolished. Other than the standard building permit, the City does not have a policy regulating demolition or deconstruction. Some of these houses were deconstructed, and the construction materials were reused on other historic buildings throughout the area.

The code requires that the applicant choose between three demolition criteria:

1. Demonstrate that the landmark is a severe hazard to health and safety; or,
2. Provide an ESEE analysis that demonstrates the benefits of demolishing the landmark outweighs the benefits of preserving the landmark; or,
3. HRAB can find that denial of the request denies the property owner reasonable economic use of the property.

The more recent demolition applications have relied on the Economic Hardship Criteria (LOC 58.02.125 6 c). Historic resources that deteriorate to where it becomes significantly below the property's market value have had an easier time meeting the economic hardship criteria. The Historic Resources Advisory Board is interested in eliminating this criterion. This would narrow the analysis for demolition to a choice between providing an Economic Social Environmental and Energy (ESEE) analysis; or, to make a finding that the historic building was structurally unsafe. Economic Hardship would no longer be included as one of the criteria.

Demolition by Neglect

Demolition by neglect is defined as the destruction of a building through abandonment or lack of maintenance. There are a number of scenarios that contribute to the neglect of historic properties, including impoverished owners, difficulties arising from unsettled estates, absentee landlords or simply an uncaring attitude on the part of an owner. Occasionally property owners will attempt to circumvent legislation aimed at protecting historic properties by intentionally neglect the property so it can be demolished under the criteria of "demolition by neglect."

Trends

Building Codes

As a general rule, building codes provide standards that are easier to implement in new construction and are difficult to apply to existing historic structures. The City could expand their building code to include special provisions for historic structures. Some of the strategies that could facilitate rehabilitation of historic buildings may include:

- Relaxed Seismic Upgrade Requirements
- Provisions for "less than full" code upgrade requirements
- Waiving some ADA requirements
- Allowing single pane wooden windows for remodels in Historic Houses

To facilitate the building process, the City of Portland prepared code handbooks to help owners, developers and building professionals understand various building code provisions. While there is a larger number of commercial buildings in Portland, Lake Oswego could adopt a similar program that applies to single-family dwellings and some of the smaller businesses that currently occupy historic buildings along State Street.

Adaptive Reuse

Adaptive reuse is the process of adapting old structures for purposes other than those initially intended. Allowing more options in reusing the City's Historic Buildings could, in some cases, help save the structure. A small office oriented business in an historic building in a residential zone could provide more vibrancy in that neighborhood. In other residential zones, the code allows non-profit office uses in structures on the City's historic landmark list which are located on arterial streets through the Conditional Use Process. The uses are limited to business and management services. Medical and dental offices or attorney offices are not permitted. The Comprehensive Plan process could consider broadening these allowances to provide such additional uses.

These uses should also be allowed on Minor Arterial and Collector Streets. There are five residential properties located on minor arterials, eight on major collectors and one on a neighborhood collector.

Expanding these office uses on minor arterial and collector streets would provide for 14 more office spaces.

Sustainability Considerations

Historic preservation can be an important component of any effort to promote sustainable development. The conservation and improvement of our existing built resources, including re-use of historic and older buildings, greening the existing building stock, and reinvestment in older and historic communities, is crucial to combating climate change.

The construction, operation and demolition of buildings account for 48 percent the United States' greenhouse gas emissions⁵. Reusing and retrofitting our existing buildings can reduce these emissions dramatically. Existing buildings are one of our greatest renewable resources. The National Trust for Historic Preservation maintains that:

- 136 million tons of building related construction and demolition debris are generated every year in the United States.
- 82 billion square feet of buildings will be demolished and replaced – enough to fill 2,600 football stadiums.
- Construction of an average 2,000 square foot home generates 3,000 pounds of wood 2,000 pounds of drywall and 600 pounds of cardboard waste.
- Only 20-30 percent of that waste is recycled or reused.
- It takes 65 years for a new energy efficient home to recover the energy lost in the demolition of an existing house.

Through their Sustainability Initiative, the National Trust for Historic Preservation is focusing the nation's attention on the importance of reusing existing buildings and reinvesting in older and historic communities as critical elements in combating climate change. Americans already embrace the need to recycle aluminum cans, glass and newspapers. That same common sense should be applied to the built environment.

The value of new, green construction should not be discounted. Many green technologies can and should be applied to existing buildings to improve performance. Nonetheless, new construction, no matter how green, still uses energy and other natural resources and generates construction waste that clogs landfills.

An additional sustainability indicator could monitor the number of buildings that have been retrofitted under Leadership in Energy and Environmental (LEED) or other “green- build” design standard.

⁵ Ibid.

Unfortunately, the number of buildings that are rehabilitated under LEED or other standards are very few. It would take a number of years before one can observe results on the number of rehabilitated buildings. Nevertheless, it is important to foster the adaptive re use of existing historic buildings and track the number of buildings that have been preserved in this way.

Quality of Life Indicators

Historic preservation plays an important role in shaping a community's cultural, physical, social and economic future. Within the Quality of Life Indicators, the "Cultural and History Indicator" (Indicator 8.4) has one category related to historic resources. This indicator tracks the number of historic resources on the City's Landmark Designation List. Without historic resources, the character of Lake Oswego would be greatly diminished. In 1990, there were 93 resources including sites, structures and objects on the list. Since then, the City has removed 24 homes from the designation list approximately 7 of these resources were lost to demolition.

Primary Sources

- Historic Resources Advisory Board
- National Trust for Historic Preservation